

## **REMARKS**

Claim 14 is canceled. Claims 16 and 18 are amended. Claim 16 is amended to remove its dependency from canceled claim 14. Claims 19-23 are added. Claims 1-13 and 15-23 remain in the Application. Reconsideration of the pending claims is respectfully requested in view of the above amendment and the following remarks.

### **I. Rejected Under 35 U.S.C. § 103**

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,493,577 issued to Choquette, et al. ("Choquette") together with U.S. Patent No. 6,965,626 issued to Tatum, et al. ("Tatum"). Applicants respectfully traverse the rejection.

To establish a *prima facie* case of obviousness, the relied upon references must teach or suggest every limitation of the claim such that the invention as a whole would have been obvious at the time the invention was made to one skilled in the art. Amended Claim 18 combines all of the limitations of original Claims 9 and 15 to recite allowed features "wherein at least one reflecting mirror is further formed so as to be parallel with the confinement-conducting regions and the gain region such that output light is perpendicular to the confinement-conducting regions and the gain region," as recited in allowed Claim 15. Thus, Choquette in view of Tatum does not teach or suggest each of the elements of Claim 18.

Newly added Claims 19-23 correspond to allowed Claims 10, 3, 12-13 and cancelled Claim 14, respectively. Notwithstanding that this is a final office action, the newly added claims do not include any new matter or raise new issues but merely incorporate all the limitations of base Claim 18 and allowed features recited in Claims 10, 3, 12-13 and 14. All of the limitations recited in the newly added claims have been considered by the Examiner. Thus, Applicants respectfully request that these new claims be entered.

### **II. Allowable Subject Matter**

Applicants appreciate the Examiner's indication that Claims 1-13 and 15-17 are allowed.

**CONCLUSION**

In view of the foregoing, it is believed that all claims now are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amber D. Saunders 2/24/06  
Amber D. Saunders Date